

IN THE CLAIMS:

Please amend the claims as follows:

- 1-34. (Canceled)
35. (Currently amended) ~~The apparatus according to claim 25 An apparatus for applying polymeric latching clips in an endoscopic surgical procedure, comprising:~~
 - (a) an elongate assembly for containing polymeric latching clips and comprising a distal end;
 - (b) a jaw assembly for receiving a clip from the elongate assembly, the jaw assembly comprising first, second, third and fourth jaw legs spaced apart from each other for substantially simultaneously engaging at least four portions of the clip, each leg extending from the distal end and actuatable toward at least one other opposing leg for compressing the clip; and
 - (c) wherein the elongate assembly comprises first, second, third, and fourth pivot points, and the first, second, third, and fourth legs are pivotably attached to the respective first, second, third, and fourth pivot points
36. (Previously presented) The apparatus according to claim 35 wherein the elongate assembly comprises a fixed member, and the first, second, third, and fourth pivot points are disposed on the fixed member.

37. (Previously presented) The apparatus according to claim 36 wherein the non-actuatable member comprises a channel for containing the clips.
 38. (Canceled)
 39. (Currently amended) ~~The apparatus according to claim 38~~ The apparatus according to claim 35 wherein the first, second, third, and fourth legs comprise respective first, second, third, and fourth jaw cam surfaces, and the elongate assembly comprises a jaw actuating member axially movable into contact with the first, second, third, and fourth jaw cam surfaces for actuating the jaw assembly; and wherein the jaw actuating member comprises first, second, third, and fourth distal cam surfaces respectively engageable with the first, second, third, and fourth jaw cam surfaces in response to movement of the jaw actuating member toward the jaw assembly.
 40. (Previously presented) The apparatus according to claim 39 wherein the jaw actuating member comprises a shaft, and the first, second, third, and fourth distal cam surfaces are formed on the shaft and generally spaced around a cross-section of the shaft.
- 41-44. (Canceled)
45. (Currently amended) ~~The apparatus according to claim 44~~ An apparatus for applying polymeric latching clips in an endoscopic surgical procedure, comprising:
 - (a) an elongate assembly for containing polymeric latching clips and comprising an axially movable distal end section, the distal end section

comprising a plurality of distal cam surfaces generally spaced around a cross-section of the distal end section;

- (b) a jaw assembly comprising first and second opposing jaws for compressing a clip therebetween, the jaw assembly extending from the elongate assembly;
- (c) an actuator assembly communicating with the distal end section for actuating the distal cam surfaces into contact with the jaw assembly to cam the first and second jaws toward each other; and
- (d) wherein the elongate assembly comprises a shaft generally interposed between the distal end section and the actuator assembly, and the shaft is actuatable by the actuator assembly for moving the distal end section; and wherein the elongate assembly comprises a channel for containing the clips, the channel is disposed within the shaft, and the shaft and distal end section are movable relative to the channel.

46-53. (Canceled)

54. (Currently amended) The apparatus according to claim 53 An apparatus for applying polymeric latching clips in an endoscopic surgical procedure, comprising:

- (a) an elongate assembly for containing polymeric latching clips, the elongate assembly comprising a distal end, an axially movable clip feeding member, and an axially movable jaw actuating member;

- (b) a jaw assembly extending from the distal end and comprising first and second opposing jaws for compressing a clip therebetween;
- (c) an actuator assembly actuatable through a first stage and a subsequent second stage of a forward stroke, the actuator assembly coupled with the clip feeding member for moving the clip feeding member into contact with the clip to feed the clip into the jaw assembly during the first stage, and the actuator assembly communicating with the jaw actuating member for moving the jaw actuating member into contact with the jaw assembly to close the clip during the second stage, wherein the clip feeding member remains coupled with the actuator assembly for maintaining contact with the clip during the second stage;
and
- (d) wherein the actuator assembly comprises a movable yoke having a proximal end and a distal end, and the clip feeding member is operatively connected with the yoke and is urged thereby toward the distal end of the actuator assembly, during the first and second stages; and wherein the actuator assembly comprises a spring contacting the clip feeding member for biasing the clip feeding member toward the distal end of the yoke.

55-56. (Canceled)

57. (Currently amended) ~~The apparatus according to claim 56 An apparatus for applying polymeric latching clips in an endoscopic surgical procedure, comprising:~~

- (a) an elongate assembly for containing polymeric latching clips, the elongate assembly comprising a distal end, an axially movable clip feeding member, and an axially movable jaw actuating member;
- (b) a jaw assembly extending from the distal end and comprising first and second opposing jaws for compressing a clip therebetween;
- (c) an actuator assembly actuatable through a first stage and a subsequent second stage of a forward stroke, the actuator assembly coupled with the clip feeding member for moving the clip feeding member into contact with the clip to feed the clip into the jaw assembly during the first stage, and the actuator assembly communicating with the jaw actuating member for moving the jaw actuating member into contact with the jaw assembly to close the clip during the second stage, wherein the clip feeding member remains coupled with the actuator assembly for maintaining contact with the clip during the second stage; and
- (d) wherein the actuator assembly comprises a movable yoke, and the clip feeding member is operatively connected with the yoke and is urged thereby toward the distal end of the actuator assembly during the first and second stages; and wherein the jaw actuating member comprises a

distal section for contacting the jaw assembly during the second stage,
and an opposing proximal section, and the yoke is movable into contact
with the proximal section for coupling the actuator assembly with the
jaw actuating member during the second stage, and wherein the
actuator assembly comprises a spring contacting the yoke for biasing
the yoke toward the proximal section of the jaw actuating member.

58-76. (Canceled)

77. (Currently amended) ~~The apparatus according to claim 73 An apparatus for applying polymeric latching clips in an endoscopic surgical procedure, comprising:~~

- (a) an elongate assembly for containing polymeric latching clips, the elongate assembly comprising a clip feeding member and a jaw actuating member;
- (b) a jaw assembly for receiving clips from the elongate assembly;
- (c) an actuator assembly comprising a ratchet surface, the actuator assembly coupled to the clip feeding member for moving the clip feeding member in a distal direction during a first stroke portion for feeding a clip into the jaw assembly, and forcing said clip to an open position once in the jaw assembly, and the actuator assembly communicating with the jaw actuating member for moving the jaw actuating member into engagement with the jaw assembly during a

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second stroke portion for closing the jaw assembly and allowing the jaw assembly to reopen;

- (d) a ratchet member coupled to the actuator assembly and actuatable into engagement with the ratchet surface during the first stroke portion for preventing movement of the clip feeding member in a proximal direction, and actuatable out of engagement with the ratchet surface during the second stroke portion for enabling movement of the jaw actuating member in both the distal and proximal directions; and
- (e) wherein the actuator assembly comprises a yoke which includes a spring which contacts the clip feeding member for moving the clip feeding member during the first stroke portion, and the yoke is movable into contact with the jaw actuating member for moving the jaw actuating member during the second stroke portion.

78-107. (Canceled)